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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,815	07/18/2003	Dean E. Thorson	CE11478R	3022
22917	7590	12/29/2004	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			NGUYEN, KHAI MINH	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/622,815	<b>Applicant(s)</b> THORSON ET AL.	
	<b>Examiner</b> Khai M Nguyen	<b>Art Unit</b> 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/18/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Dailey (U.S. Pat-6577874).

Regarding claim 1, Dailey teaches a method for reducing call setup time (col.4, lines 51-53) comprising:

sending a channel assignment message to a mobile station (MS) (fig.6-8, col.4, line 58 to col.5, line 9, col.8, lines 4-36);

performing traffic channel initialization procedures with the MS (fig.4, col.3, line 62 to col.4, line 11);

after completing traffic channel initialization procedures (fig.4, col.3, line 62 to col.4, line 11), sending a base station acknowledgment message to the MS (fig.5, col.4, lines 12-33);

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proceeding to transmit signaling to the MS without waiting to receive an MS acknowledgment in response to the base station acknowledgment message (col.9, line 60 to col.10, line 9).

Regarding claim 2, Dailey teaches the method of claim 1, further comprising

after proceeding to transmit signaling to the MS (fig.6-8, col.4, line 58 to col.5, line 9, col.8, lines 4-36), receiving an MS acknowledgment in response to the base station acknowledgment message (col.8, lines 4-36).

Regarding claim 3, Dailey teaches the method of claim 1, further comprising

Receiving (fig.7), before sending the channel assignment message (fig.7, col.7, line 55 to col.8, line 3), an origination message from the MS (col.7, line 55 to col.8, line 3).

Regarding claim 4, Dailey teaches the method of claim 3, wherein the origination message comprises a message from the group consisting of an Origination Message and an Enhanced Origination Message (col.4, lines 34-44).

Regarding claim 5, Dailey teaches the method of claim 1, further comprising:

transmitting a page to the MS (fig.7, col.8, lines 4-18);

receiving (fig.7), in response to the page and before sending the channel assignment message (fig.7, col.7, line 55 to col.8, line 3), a page response from the MS (col.2, lines 39-51, col.7, line 55 to col.8, line 3).

Regarding claim 6, Dailey teaches the method of claim 1, wherein proceeding to transmit signaling to the MS comprises transmitting signaling to the MS from the group consisting of service request messaging (col.9, lines 46-59), service connect messaging, status request messaging, and handoff messaging (col.9, line 60 to col.10, line 9).

Regarding claim 7, Dailey teaches the method of claim 1, wherein proceeding to transmit signaling to the MS comprises transmitting to the MS signaling related to functions from the group consisting of service negotiation (col.9, lines 7-22), data burst handling, handoff processing, and authentication (col.1, lines 50-63, col.9, line 60 to col.10, line 9).

Regarding claim 8, Dailey teaches the method of claim 1, wherein performing traffic channel initialization procedures comprises receiving an indication that the MS is successfully receiving base station messaging to the MS (col.1, lines 50-63, col.9, lines 23-45, col.9, line 60 to col.10, line 9).

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Regarding claim 9, Dailey teaches the method of claim 1, wherein performing traffic channel initialization procedures comprises transmitting forward link frames to the MS (fig.6-8, col.11, line 61 to col.12, line 4).

Regarding claim 10, Dailey teaches the method of claim 1, wherein performing traffic channel initialization procedures comprises receiving from the MS signaling from the group consisting of a traffic channel preamble (col.9, lines 7-22, col.9, lines 46-59), reverse pilot frames, and null frames (fig.1, col.2, lines 6-27).

Regarding claim 11, Dailey teaches the method of claim 1, wherein the channel assignment message comprises a message from the group consisting of a Channel Assignment Message and an Enhanced Channel Assignment Message (col.2, lines 27-51).

Regarding claim 12, Dailey teaches the method of claim 1, wherein the base station acknowledgment message comprises a message from the group consisting of a BS ACK Order message and a Link Access Control ping message (fig.1, fig.6-8, col.2, lines 6-51).

Regarding claim 13, Dailey teaches the method of claim 1, wherein the MS acknowledgment comprises a message from the group consisting of an MS

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ACK Order message and a Link Access Control ping message (fig.6-8, col.8, lines 4-36).

Regarding claim 14, Dailey teaches a base station (fig.14, element 135) comprising:

wireless transceiver equipment (WTE) adapted to transmit and receive messaging to a mobile station (MS) (fig.7, 9, 14, col.11, lines 30-60);

a controller, communicatively coupled to the WTE (fig.14, element 215, col.11, lines 46-60);

adapted to send, via the WTE, a channel assignment message to the MS (fig.6-8, col.4, line 58 to col.5, line 9, col.8, lines 4-36),

adapted to perform, via the WTE, traffic channel initialization procedures with the MS (fig.4, col.3, line 62 to col.4, line 11),

adapted to send, via the WTE, a base station acknowledgment message to the MS, after completing traffic channel initialization procedures (fig.4-5, col.3, line 62 to col.4, line 33),

adapted to proceed to transmit signaling, via the WTE, to the MS without waiting to receive an MS acknowledgment in response to the base station acknowledgment message (col.9, line 60 to col.10, line 9).

Regarding claim 15, Dailey teaches the base station of claim 14, wherein the controller is further adapted to receive, via the WTE, an MS acknowledgment in response to the base station acknowledgment message (fig.6-8, col.8, lines 4-

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36), after proceeding to transmit signaling to the MS (fig.6-8, col.4, line 58 to col.5, line 9).

Regarding claim 16, Dailey teaches the base station of claim 14, wherein the controller is further adapted to receive, via the WTE, an origination message from the MS (col.7, line 55 to col.8, line 3), before sending the channel assignment message (col.7, line 55 to col.8, line 3).

Regarding claim 17, Dailey teaches the base station of claim 14, wherein the controller is further

adapted to transmit, via the WTE, a page to the MS (fig.7, col.8, lines 4-18), and

adapted to receive, via the WTE, a page response from the MS, in response to the page and before sending the channel assignment message (fig.7, col.2, lines 39-51, col.7, line 55 to col.8, line 3).

Regarding claim 18, Dailey teaches the base station of claim 14, wherein proceeding to transmit signaling to the MS comprises transmitting signaling to the MS from the group consisting of service request messaging (col.9, lines 46-59), service connect messaging, status request messaging, and handoff messaging (col.1, lines 50-63, col.9, line 60 to col.10, line 9).



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Regarding claim 19, Dailey teaches the base station of claim 14, wherein proceeding to transmit signaling to the MS comprises transmitting to the MS signaling related to functions from the group consisting of service negotiation (col.9, line 7-22), data burst handling, handoff processing, and authentication (col.1, lines 50-63, col.9, line 60 to col.10, line 9).

Regarding claim 20, Dailey teaches the base station of claim 14, wherein performing traffic channel initialization procedures comprises receiving an indication that the MS is successfully receiving base station messaging to the MS (col.9, lines 23-45, col.9, line 60 to col.10, line 9).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M Nguyen whose telephone number is 703.305.9006. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 703.306.3016. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen  
Au: 2687

11/21/04

  
**ELISEO RAMOS-FELICIANO**  
**PATENT EXAMINER** 12/21/04